

AMENDMENTS

In the Claims:

Please cancel claims 33-35, 69-72, 104-107, 133-136, 140, 141, 144 and 145 and amend the remaining claims as indicated below:

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1. (Three times amended) A method of inhibiting growth of a p53-positive tumor cell in a [mammlian] mammalian subject with a solid tumor comprising the steps of :
- (a) providing a viral expression construct comprising a promoter functional in eukaryotic cells and a polynucleotide encoding a functional p53 polypeptide, wherein said polynucleotide is positioned sense to and under the control of said promoter; and
 - (b) directly administering said viral expression construct to said tumor *in vivo*, the administration resulting in expression of said functional p53 polypeptide in cells of said tumor and inhibition of tumor cell growth,

wherein said tumor comprises cells that express a functional p53 polypeptide.

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14. (Amended) The method of claim 11, wherein the amount of adenovirus [administered] in each [contacting] administration is between about 10^7 and 10^{12} pfu.
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